

REGULAR MEETING / WORK SESSION

1. CALL TO ORDER – REGULAR MEETING

The March 14, 2016 Regular meeting was called to order at 7:01 PM by Mr. John O'Neill. Members Sharon Bressler, Bill Steudler, Brian Rater, Kate Domico, and Robert Prosek also attended. Staff members present were Stephen Casson, Township Engineer; Ken Soder, Zoning Officer; Jim May, CRPA Director; and Nicole Harter, Public Works Secretary. The audience included Mark Torretti, Penn Terra Engineering; Nancy Ring, Kim Ring, and Michele Brandt.

2. ITEMS OF CORRECTION

There were no additions or deletions to the agenda.

3. APPROVAL OF MINUTES

Meeting minutes from the February 1, 2016 combined Regular Meeting and Work Session Meeting were brought before the Planning Commission for approval.

Mr. Robert Prosek made a motion to approve the meeting minutes as submitted. The motion was seconded by Ms. Sharon Bressler. The motion passed with a vote of 6-0.

5. PUBLIC COMMENTS

There were no public comments at this point in the meeting.

6. TEMPORARY USE PERMIT – WALMART TEMPORARY TRAILERS

Patton Township received a request from Walmart, located at 1665 North Atherton Street, for a Temporary Use Permit to house temporary trailers during store construction. Walmart is asking to have 20 containers located mainly outside the General Merchandise side of the building while the store will be undergoing a remodel. Five of the containers will be utilized as offices for the contractors and the remaining 15 containers will be used for storage to protect items from the weather. Work will begin on March 21, 2016 with a grand re-opening on July 8, 2016.

The Township Manager has authorized a provisional Temporary Use Permit for 30 days to allow the remodel to begin.

Ms. Sharon Bressler made a motion to approve the Temporary use Permit. The motion was seconded by Mr. Bill Steudler. The motion passed with a vote of 6-0.

7. NITTANY VALLEY SPORTS CENTRE SUBDIVISION PLAN

Mr. Jim May noted that Patton Township received the Subdivision Plan for the Nittany Valley Sports Centre. The property is being subdivided for the purpose of potentially selling individual parcels.

The Nittany Valley Sports Centre Master Plan was approved by the Board of Supervisors on January 27, 2016. Future development, including improvements such as streets, water service, and sewer service will be required with individual development plans.

Patton Township Staff find that the plan meets all Township regulations upon completion of all items noted on Staff's marked up comment letter.

7. NITTANY VALLEY SPORTS CENTRE SUBDIVISION PLAN (cont.)

Mr. Mark Torretti, Penn Terra Engineering, provided a brief overview of the Plan.

Mr. Bill Steudler made a motion to approve the Nittany Valley Sports Centre Subdivision Plan upon completion of minor/technical items as noted on the Staff's comment letter. The motion was seconded by Ms. Sharon Bressler. The motion passed with a vote of 6-0.

8. REQUEST TO AMEND PERMITTED USES IN THE OFFICE BUFFER DISTRICT (OBD)

Mr. Jim May noted that a request was made to consider proposed amendments to permitted uses in the Office Buffer District (OBD). This requested was initiated by Jim and Sue O'Connor, property owners at 650 Gray's Woods Boulevard. It was referred to the Planning Commission by the Board of Supervisors at its meeting on January 27, 2016, and was initially discussed by the Planning Commission at the Work Session on February 1, 2016.

The request asks that the Planning Commission consider adding the following uses to the Office Buffer District:

- Dance Studio
- Health/Fitness Center
- Chiropractic Office (currently allowed)
- Coffee House
- Ambulance Service

The Planning Commission also discussed operating hours for businesses in the OBD at the meeting on February 1, 2016.

The Planning Commission considered the following questions as they discussed the request to change land uses and hours of operation:

1. Are there other zoning districts in the Township that allow the proposed uses?

A municipal zoning ordinance should have a reasonable number of zoning districts that allow differentiation of land uses, intensity, height, mass, and other standards that allow for a variety of uses and protect the health, safety, and welfare of residents in the municipality. Duplicating many similar uses in more than one district can weaken the intent of individual districts and to some extent, make uses and standards in individual so similar that differentiation between districts becomes meaningless.

8. REQUEST TO AMEND PERMITTED USES IN THE OFFICE BUFFER DISTRICT (OBD) (cont.)

Table 1 indicates zoning districts where the proposed land uses are currently allowed.

TABLE 1 ZONING DISTRICTS WHERE THE PROPOSED USES ARE CURRENTLY ALLOWED							
Proposed Use	Zoning District						
	C-1	C-2	OB	OB2	C-T	I-1	I-RD
Dance Studio	✓	✓					
Health/fitness center	✓	✓			✓		
Chiropractic office	✓	✓	✓	✓	✓	✓	
Coffee house	✓	✓			✓	✓(1)	✓(1)
Ambulance service	✓	✓			✓		

Source: Patton Township Zoning Ordinance

Note: (1) Accessory Use

2. Are the proposed uses consistent with the intent and purpose of the OBD?

The intent and purpose statement for individual zoning districts in the Township should accurately describe why certain uses are permitted in the district, if there is an intent to protect adjacent uses from impacts, and if there are characteristics that should be preserved or protected both inside, adjacent to, and in the vicinity of the zoning district.

The purpose of the OBD is:

- 1) To allow office development to occur in appropriate locations within the Township.
- 2) To establish a zoning district which will serve as a buffer between major highway corridors and established residential neighborhoods.
- 3) To avoid the problems associated with highway-oriented development by encouraging professional office development to occur in a manner which implements sound highway corridor planning approaches.

3. Are the hours of operation clear, and supportive of the intent of the OBD?

At the Planning Commission meeting on February 1, 2016, there was a discussion of how the Township regulates hours of operation in the OBD. Currently the Township allows office users to be open to employees between 7:00 AM and 9:00 PM. The offices however, are not open to the public during these times. The current statement regarding hours of operation in the OBD is *“Businesses within the Office Buffer District may be open for business between the hours of 7:00 AM and 9:00 PM. This requirement is intended to mitigate impacts on adjacent residential neighborhoods.”*

A suggested revision to clarify the statement could be *“Businesses within the Office Buffer District may be open to the public between the hours of 7:00 AM and 9:00 PM.”*

8. **REQUEST TO AMEND PERMITTED USES IN THE OFFICE BUFFER DISTRICT (OBD) (cont.)**

The revised statement clearly defines time that a business can be open to the public in the OBD and seems consistent with the times typical businesses currently allowed in the OBD would be open to the public. Staff is comfortable that given the scale and nature of currently permitted uses and the standards in the OBD, there would be very limited after hours work, and a negligible impact on neighbors.

Ms. Sharon Bressler was concerned with permitting a coffee shop if it would have the same footprint of that of Starbucks. Mr. Ken Soder noted that the Township would limit the square footage of the building.

Mr. Brian Rater was in favor of broadening the hours of operation. Ms. Bressler was concerned with that, noting that the Planning Commission also needs to consider the OBD in the area of Waddle Road where residential lots are smaller.

Ms. Michele Brandt, potential occupant, gave an overview of her desired plans for the site. Ms. Brandt envisions a yoga, dance, semi-private personal training, and after school program facility that would work for the entire family. Ms. Brandt noted that her intent is not to have the facility open after 9:00 PM. Also, if there were a coffee shop, it would be more of a café, similar to that in Geisinger that would only serve those of the building.

Mr. Rater asked if it would be possible to create a different zoning district. Mr. Jim May advised that it is typically not a good practice just create a new zoning district.

Mr. Mark Torretti, Penn Terra Engineering wanted to help the Planning Commission with their decision by noting his experience working on projects within buffer districts. He wanted to remind the Planning Commission to think of it more as a commercial service than that of a commercial retail.

The Planning Commission could not reach a consensus on amending the permitted uses and asked that Township Staff research further and evaluate the possibility of a conditional use and to look at adjacent zoning districts and what is included with them.

9. **STATUS ON PENDING ITEMS**

There were no comments from the Planning Commission on the pending work task items.

10. **REPORTS**

Mr. Jim May announced that Mr. Greg Garthe has accepted the position of the Senior Planner for Centre Regional Planning Agency and will be providing planning services to Patton Township. Mr. Garthe's first day will be April 4, 2016.

11. **OTHER BUSINESS**

There was no other business brought before the Planning Commission.

12. **ADJOURN – REGULAR MEETING**

The meeting was adjourned at 8:13 PM.